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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHAUN ROSIERE,

Plaintiff,

v.

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Defendant.

2:09-CV-1975 JCM (PAL)

ORDER

Presently before the court is the case of *Rosiere v. United States Securities and Exchange Commission*, case number 2:09-cv-00144-JCM-PAL.

On February 10, 2012, pursuant to Local Rule 41-1, the clerk of the court informed plaintiff that, if no action was taken in this case within thirty (30) days, the court would dismiss the case for want of prosecution. (Doc. #35).

Plaintiff's complaint seeks an order from this court to quash a subpoena served by the Securities and Exchange Commission on plaintiff in 2009. On March 8, 2012, after the Local Rule 41-1 notice was served on plaintiff, the plaintiff filed a status report informing the court that the Securities and Exchange Commission's investigation into plaintiff was concluded as of January 11, 2011, and that "there are no grounds for the issuance of any subpoenas; therefore, the subpoenas are null and void." (Doc. #36). The court interprets plaintiff's status report as a request by plaintiff that the court dismiss this suit. The court finds dismissal appropriate pursuant to Fed. R. Civ. P. 41(a)(2).

1 Furthermore, plaintiff's status report does not qualify as a "proceeding of record" in
2 prosecution of the case, as it does nothing to further plaintiff's causes of action against defendant.
3 Accordingly, dismissal pursuant to the Local Rule 41-1 notice is also appropriate.

4 Therefore,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the case of *Rosiere v.*
6 *United States Securities and Exchange Commission* (2:09-cv-00144-JCM-PAL) be, and the same
7 hereby is, DISMISSED.

8 DATED March 22, 2012.

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UNITED STATES DISTRICT JUDGE
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